

**REMARKS**

This Amendment, submitted in response to the Office Action dated May 28, 2008, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-33 are all the claims pending in the application. Claims 1-3, 5, 7-11, 13 and 15-24 have been amended for form only. In particular, these amendments are for idiomatic reasons only. Claims 25-33 have been added. Applicant respectfully submits that there has been no change in claim scope nor has any new matter been entered.

**I. Claim Rejections under 35 U.S.C. § 101**

Claims 9-16 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicant respectfully traverses the rejection.

Applicant respectfully submits that claims 9-16 are means-plus-function claims, and as the specification clearly discloses structural components for performing the functions recited, claims 9-16 are directed to statutory subject matter.

Accordingly, Applicant respectfully requests the Examiner withdraw the rejection under 35 U.S.C. § 101 to claims 9-16.

**II. Claim Rejections under 35 U.S.C. § 102**

Claims 1-7, 9-16, and 17-23 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Kawaguchi et al., (U.S. Publication No. 2002/0165832). Applicant respectfully traverses the rejection.

Claim 1 recites, *inter alia*,

saving initial information regarding a content  
object, said initial information **comprising at least**

an initial reaction information regarding the content object;

determining, for each of a plurality of utilization information that each indicate a utilization result of another content object in the past, whether an initial information comprised by said utilization information is on the same level as the initial information of the content object;

extracting utilization information that comprises initial information determined to be on the same level as the initial information of the content object; and

generating content management information for the content object based on the extracted utilization information

In the Office Action, the Examiner asserted that Kawaguchi teaches or suggests all the requirements of claim 1. Kawaguchi is directed to a system for managing product information related to products handled by department stores, supermarkets and other retailers, and more particularly for efficiently registering product information in product databases at respective retailers. However, Applicant respectfully submits that Kawaguchi fails to teach or suggest at least, “said initial information comprising at least an initial reaction information regarding the content object” and “determining, for each of a plurality of utilization information that each indicate a utilization result of another content object in the past, whether an initial information comprised by said utilization information is on the same level as the initial information of the content object”. The disclosure of Kawaguchi is clearly not directed to such subject matter. Applicant further respectfully submits that Kawaguchi even more clearly fails to teach or suggest this requirement of the claim in the context of the claim as a whole.

Accordingly, Applicant respectfully submits that claim 1 is not anticipated under 35 U.S.C. § 102(e) by Kawaguchi, because the reference does not disclose all of the features and

limitations of the claim. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 1, and claims 3-7 at least by virtue of their dependency from claim 1.

Further, Applicant submits that independent claims 2, 9, 10, 17, 18, 25, 26, and 33 and their dependant claims 11-15, 19-23, and 27-32 are also patentable over Kawaguchi for at least similar reasons. As such, Applicant respectfully requests the Examiner withdraw the rejections of independent claims 2, 9, 10, 17, 18, 25, 26, and 33 and dependent claims 11-15, 19-23, and 27-32.

### **III. Claim Rejections under 35 U.S.C. § 103**

Claims 8, 16, and 24 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kawaguchi et al. (U.S. Publication No. 2002/0165832) in view of Lee et al. (U.S. Publication No. 2002/0007368). Applicant respectfully traverses the rejection.

Above, Applicant pointed out that Kawaguchi is deficient vis-à-vis independent claims 1, 9 and 17. Applicant respectfully submits that Lee fails to compensate for the deficiencies of Kawaguchi. Even taken for what they would have meant as a whole to an artisan of ordinary skill, the combined teachings of these two references would not have (and could not have) led the artisan of ordinary skill to the subject matter of independent claims 1, 9 and 17, much less dependent claims 8, 16 and 24.

Therefore, claims 8, 16 and 24 would not have been obvious within the meaning of 35 U.S.C. §103(a). Additional, untaught modifications would have been necessary.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 8, 16, and 24.

**IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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CUSTOMER NUMBER

Date: August 19, 2008

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